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January 23, 2014

VIA ECF

MEMO ENDORSED

Hon. Ronnie Abrams
 United States District Judge
 United State Courthouse
 40 Foley Square
 New York, N.Y. 10007

USDC-SDNY
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Re: Venith Thomas v. Mark M. Altschul and
 Altschul & Altschul
13 Civ. 8320 (RA)

Dear Judge Abrams:

I am the plaintiff's attorney in this case.

On November 26, 2013, you issued an order requiring the parties to file a joint letter and proposed case management plan and scheduling order by January 24, 2014, and scheduling an initial status conference for January 31, 2014.

As of yet, however, I do not have an opponent. I filed the complaint on November 21, 2013. On November 26, 2013, I mailed defendants copies of the complaint, together with a request to waive service of the summons under Rule 4(d). When neither defendant responded within the 30 days allotted in the notice for a response, I arranged for both defendants to be served on January 8, 2014. To date, neither defendant has appeared.

Although the docket notes that the answer is due on January 29, 2014, I believe this may be inaccurate and that the defendants may in fact have until as late as February 10, 2014 to respond to the complaint. This is for technical reasons having to do with the method of service, which there is no particular point in explaining here.

Under the circumstances, the dates for the joint letter etc. and initial conference need to be changed.

Very truly yours,

James M. Baker

JMB/jb The conference is rescheduled to 3:30 p.m. on February 25, 2014. Submissions, described in the Court's November 27, 2013 order, are due by February 18, 2014. Plaintiff shall serve a copy of this Order on all Defendants.

SO ORDERED,

WW 1/23/14